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C O N F I D E N T I A L SECTION 01 OF 02 SUVA 000068

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SUBJECT: FIJI UPDATE 1/26/07: BAINIMARAMA BACKS OFF  
RETALIATION THREATS; ACTIVISTS STILL ON THE RUN; FIJI'S  
HUMAN RIGHTS BODY FIGHTS FOR MILITARY LAWYERS

REF: SUVA 059 AND PREVIOUS

Classified By: Ambassador Dinger per 1.5 (B) and (D)

#### Summary

1. (C) Fiji Interim PM Bainimarama backed off of his threats to retaliate against Australia and New Zealand for visa bans those countries have imposed on senior interim government officials. He said the interim government welcomes international trade and investment and will not interfere with legitimate foreign business interests in Fiji. Two democracy advocates apparently remain on the run from the military; the former National Director of the SDL party was detained at the military barracks overnight. The Fiji Human Rights Commission is seeking court action against the Fiji Law Society for suspending two military lawyers. The Commission's Director, Shaista Shameem, also blasted New Zealand for refusing to allow entry of a senior Fiji civil servant. She had no comment when asked about the travel bans imposed by the interim government on PM Qarase and others.  
End summary.

#### Bainimarama Says No Retaliation

2. (U) Backing off on statements he issued earlier in the week, Commodore Bainimarama said Fiji would not impose trade sanctions or expel expatriates in response to the visa bans imposed by Australia and New Zealand on members of the interim government. He said the government will ensure that investment, trade and private sector development continue unrestricted. Steps intended to rid Fiji of corruption, waste and mismanagement, he continued, are part of that effort. Bainimarama appealed to the international community to "not frustrate our efforts in rebuilding Fiji" and said that "it is difficult for my government to understand the rationale for imposing travel bans on senior government officials who act on political directions given to them." Bainimarama closed by restating his commitment not to interfere with legitimate foreign business interests in Fiji.

3. (C) Interim Secretary for Foreign Affairs Isikeli Maitoga told the Ambassador 1/26 (septel) that Bainimarama made the above statement at his urging in order to reassure prospective foreign investors. While Fiji may be upset at the travel restrictions imposed by Australia and New Zealand, the reality is that the bulk of Fiji's trade will always be with those two countries, so choking off investment from them is not an option.

#### Activists On the Run; One May be Looking for Asylum

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¶4. (C) Two well-known NGO activists remain on the run from the military. Angie Heffernan, head of the Pacific Center for Public Integrity, told us 1/26 that her lawyers have not yet finished drawing up papers needed for her to file an injunction with the High Court, seeking to bar the military from bringing her in for questioning. Heffernan talked to Attorney General Khaiyum, but he was unable to give assurances that if she surrenders to the police she would not be turned over to the military. Heffernan, therefore, remains in hiding. She hopes to file for an injunction Monday, after which she would turn herself over to the police.

¶5. (C) Laisa Digitaki, one the six activists assaulted by the military Christmas Day, told reporters this morning that she is "under UN protection." The UNDP representative in Fiji told us that is not the case. The UN has not, and cannot, offer Digitaki "protection" from the authorities. The UNDP rep said Digitaki recently talked to UNHCR in Geneva about UN "principles of protection" from human rights abuses. She has apparently determined that those principles apply to her. She has not asked any UN office in Suva for sanctuary. However, a contact at the EU Mission in Suva told us Digitaki had approached the Mission about "hiding" her from the RFMF. The RFMF said 1/25 that it is looking for the two activists because their statements against the military and interim government had been "inciteful." News reports indicate that former SDL National Director Jale Baba was taken to the Queen Elizabeth Barracks 1/25 for questioning. He spent the night in military custody.

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#### UN Hosts an NGO Workshop and Almost Nobody Comes

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¶6. (C) The UNDP held a long-planned NGO workshop on human rights in Suva 1/26. Almost nobody showed up. Representatives of the Fiji Women's Rights Movement were meeting with the military, apparently voluntarily. Angie Heffernan is on the run and her organization temporarily closed down. The Fiji Human Rights Commission (FHRC) boycotted the meeting because UNDP had refused FHRC Director Shaista Shameem's request to facilitate the meeting.

#### Human Rights Commission Makes its Priorities Clear

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¶7. (C) The FHRC announced it is seeking a court order to lift the Fiji Law Society's suspension of two military lawyers. The FHRC said the suspension breached the lawyers' rights for a fair hearing; it said they had been subject to "an unfair dismissal." This approach contrasts with plaudits FHRC Director Shameem showered on the military government late last year for its summary dismissal of a number of heads of government companies as part of its "clean-up" campaign. Shameem also took on the New Zealand government this week, saying its refusal to allow senior civil servant Parmesh Chand to travel to New Zealand was a denial of basic human rights. When a reporter asked if Shameem shared the same view in regard to travel bans the military has placed on PM Qarase (in "internal exile" in Lau) and a number of dissidents, she had no comment. Finally, Shameem opposed plans announced by the interim government to lower the retirement age to 55, saying that would be in clear violation of workers' constitutional right against age discrimination. Shameem is reportedly traveling to India next week to attend an international human rights conference. The conference is to commemorate the centenary of Mahatma Ghandi's Satyagraha Movement.

#### "Clean Up" Starts At National Provident Fund

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¶8. (U) Bainimarama announced 1/25 that the CEO of the Fiji National Provident Fund, Olota Rokovuniwsei, and his Deputy, Foana Nemani, have been placed on leave in order for the

government to conduct a thorough review of the FNPF's operations. Bainimarama said he is concerned about FNPF salaries and the management of FNPF funds. The FNPF is Fiji's social security system for retired workers. Its funds come from mandatory contributions of workers and employers, and much of its investment is in Fiji Government securities.

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